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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): HOUGHTON, Peter J.  
 Application No.: 09/768,445  
 Filed: 01/24/2001  
 For: COMBINATION THERAPY FOR CANCER

Group Art Unit: 1614  
 Examiner: Delacroix Muirhei,  
 Atty. Docket No.: OC01128K

X Fee Transmittal:

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450  
 Mail Stop:  
 Sir:

(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Forms PTO/SB/08a & 08b be considered and made of record in the above-identified patent application. Other than cited U.S. patents and published patent applications, copy(ies) of these documents  are enclosed  were filed in related U.S. Application No(s) \_\_\_\_\_ filed \_\_\_\_\_ respectively. Since the Examiner is believed to have ready access to the cited U.S. patents and published patent applications, copies of these documents are not herewith transmitted, but will be provided upon request.

(b) No fee is believed to be due because:

- This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c)  This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

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No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

(d)  This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and

The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.

The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365.

The submission of these documents is not to be presumed as an admission that these documents are prior art. The documents are being furnished solely for their possible utility in the examination of the present case.

Respectfully submitted,

Dated: October 6, 2005  
**Schering-Plough Corporation**  
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PTO/SB/08b (08-03)

Approved for use through 06/30/2006. OMB 0651-0031

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Substitute for form 1449B/PTO		<i>Complete If Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>		<i>Application Number</i>	09/768,445
		<i>Filing Date</i>	01/24/2001
		<i>First Named Inventor</i>	HOUGHTON, Peter J.
		<i>Art Unit</i>	1614
		<i>Examiner Name</i>	Delacroix Muirhel, Cybille
Sheet	1	of	1
		<i>Attorney Docket Number</i>	OC01128K

## **NON-PATENT LITERATURE DOCUMENTS**

<b>Examiner Signature</b>		<b>Date Considered</b>	
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**\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.**

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.97 and 1.88. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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